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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 JORGE EDILBERTO GOMEZ,

9 Plaintiff,

10 v.

11 E. FICKET, et al.,

12 Defendants.

Case No. C07-5635BHS/KLS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation of the  
14 Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 38). The Court having  
15 considered the Report and Recommendation, Plaintiff's failure to file objections, and the  
16 remaining record, does hereby find and order:

- 17 (1) The Court adopts the Report and Recommendation; and  
18 (2) Defendants Day, Jacobson, and Taylor's Motion for Summary Judgment (Dkt.  
19 30) is **GRANTED** and Plaintiff's claims against these Defendants are  
20 **DISMISSED**.

21 DATED this 16<sup>th</sup> day of Septmeber, 2008.  
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25 BENJAMIN H. SETTLE  
26 United States District Judge  
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ORDER